

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
IN THE SOUTHERN DIVISION

SCOTT ANDREW WITZKE,

Plaintiff,

No. 2:21-CV-11346-DPH-CI

v

HON. MATTHEW F. LEITMAN

JORDAN REICK; IAN HOWARD;  
AARON KOWALSKI; CRAIG  
WHITE; and ROBERT ALLEN  
MCLEAN, in their individual  
capacities for monetary damages;  
and THE CITY OF MADISON  
HEIGHTS, Michigah,

MAG.

Defendants.

---

Scott Andrew Witzke  
Plaintiff, *In Pro Per*  
6931 Ball Road  
Romulus, MI 48174

---

Andrew J. Jurgensen (P81123)  
Assistant Attorney General  
Attorney for Defendant McLean  
State Operations Division  
P.O. Box 30754  
Lansing, MI 48909  
517.335.7573  
Jurgensena2@michigan.gov

---

**BRIEF IN SUPPORT OF DEFENDANT ROBERT MCLEAN'S  
FED. R. CIV. P. 12(B)(6) MOTION TO DISMISS**

**EXHIBIT B**



Michigan.gov Home

Contact MDOC

OTIS Help

MDOC's Most Wanted

Glossary

Disclaimer

MDOC Home

## BIOGRAPHICAL INFORMATION

**SCOTT ANDREW WITZKE**

Image Date:

9/3/2014

MDOC Number: **164756**  
 SID Number: **1214357P**  
 Name: **SCOTT ANDREW WITZKE**  
 Racial Identification: **White**  
 Gender: **Male**  
 Hair: **Partial Gray**  
 Eyes: **Blue**  
 Height: **6' 2"**  
 Weight: **330 lbs.**  
 Date of Birth: **11/03/1964 (56)**

## MDOC STATUS

Current Status:	Probationer	Supervision Begin Date:	06/04/2021
Assigned Location:	<u>Oakland/Pontiac/Probation</u>	Supervision Discharge Date:	06/04/2022
Security Level:			

## ALIASES

MARK EDWARD DUNN

SCOTT WITZKE

SCOTT A. WITZKE

SCOTT ANDREW WITKE

## MARKS, SCARS & TATTOOS

Scar- Lower Left Arm

## PRISON SENTENCES

### ACTIVE

None

### INACTIVE

#### Sentence 1

Offense:	Uttering & Publishing	Minimum Sentence:	1 year 2 months 0 days
MCL#:	<u>750.249 / 769.12</u>	Maximum Sentence:	20 years 0 months
Court File#:	09229759-FH	Date of Offense:	01/27/2009
County:	Oakland	Date of Sentence:	09/27/2010
Conviction Type:	Plea	Discharge Date:	02/12/2018

Discharge Reason: Offender Discharge

#### Sentence 2

Offense:	Uttering & Publishing	Minimum Sentence:	0 years 10 months 0 days
MCL#:	<u>750.249</u>	Maximum Sentence:	14 years 0 months
Court File#:	09019203-01-FH	Date of Offense:	01/19/2009
County:	Wayne	Date of Sentence:	09/16/2009
Conviction Type:	Plea	Discharge Date:	02/12/2018

Discharge Reason:

Offender Discharge

**Sentence 3**

Offense:	Uttering & Publishing	Minimum Sentence:	1 year 6 months 0 days
MCL#:	<u>750.249 / 769.12</u>	Maximum Sentence:	20 years 0 months
Court File#:	07007679-01	Date of Offense:	01/12/2007
County:	Wayne	Date of Sentence:	06/21/2007
Conviction Type:	Plea	Discharge Date:	02/12/2018

Discharge Reason:

Offender Discharge

**Sentence 4**

Offense:	Uttering & Publishing	Minimum Sentence:	1 year 11 months 0 days
MCL#:	<u>750.249</u>	Maximum Sentence:	14 years 0 months
Court File#:	04280427	Date of Offense:	07/16/2004
County:	Hillsdale	Date of Sentence:	09/27/2004
Conviction Type:	Plea	Discharge Date:	02/12/2018

Discharge Reason:

Offender Discharge

**Sentence 5**

Offense:	Obtain Money Over \$100 False Pretenses	Minimum Sentence:	3 years 0 months 0 days
MCL#:	<u>750.218B</u>	Maximum Sentence:	10 years 0 months
Court File#:	966754FH	Date of Offense:	03/20/1996
County:	Washtenaw	Date of Sentence:	06/23/1997
Conviction Type:	Plea	Discharge Date:	02/18/1999

Discharge Reason:

Resentenced on Appeal

**Sentence 6**

Offense:	Obtain Money Over \$100 False Pretenses	Minimum Sentence:	3 years 0 months 0 days
MCL#:	<u>750.218B</u>	Maximum Sentence:	10 years 0 months
Court File#:	965576FH	Date of Offense:	12/31/1995
County:	Washtenaw	Date of Sentence:	06/23/1997
Conviction Type:	Plea	Discharge Date:	02/18/1999

Discharge Reason:

Resentenced on Appeal

**Sentence 7**

Offense:	Obtain Money, False Pretenses	Minimum Sentence:	1 year 6 months 0 days
MCL#:	<u>750.218</u>	Maximum Sentence:	10 years 0 months
Court File#:	9024578FH	Date of Offense:	08/10/1989
County:	Washtenaw	Date of Sentence:	12/21/1990
Conviction Type:	Plea	Discharge Date:	09/19/1991

Discharge Reason:

Offender Discharge

**Sentence 8**

Offense:	Forgery	Minimum Sentence:	2 years 6 months 0 days
MCL#:	<u>750.248</u>	Maximum Sentence:	14 years 0 months
Court File#:	82-17014FY	Date of Offense:	12/10/1982
County:	Washtenaw	Date of Sentence:	12/10/1982
Conviction Type:	Plea	Discharge Date:	07/23/1990

Discharge Reason:

Offender Discharge

**Sentence 9**

Offense:	Receiving Stolen Property	Minimum Sentence:	1 year 0 months 0 days
MCL#:	<u>750.535</u>	Maximum Sentence:	5 years 0 months
Court File#:	82-16710FY	Date of Offense:	06/08/1982
County:	Washtenaw	Date of Sentence:	12/10/1982
Conviction Type:	Plea	Discharge Date:	02/21/1987

Discharge Reason:

Offender Discharge

**Sentence 10**

Offense:	Uttering & Publishing	Minimum Sentence:	2 years 0 months 0 days
MCL#:	<u>750.249</u>	Maximum Sentence:	14 years 0 months
Court File#:	82-16453FY	Date of Offense:	12/10/1982
County:	Washtenaw	Date of Sentence:	12/10/1982
Conviction Type:	Plea	Discharge Date:	07/23/1990

Discharge Reason:

Offender Discharge

**Sentence 11**

Offense:	Forgery	Minimum Sentence:	2 years 6 months 0 days
MCL#:	<u>750.248</u>	Maximum Sentence:	14 years 0 months
Court File#:	82-17015FY	Date of Offense:	12/10/1982

Discharge Reason: Offender Discharge

## PROBATION SENTENCES

### ACTIVE

#### Sentence 1

Offense:	Controlled Substance-Possession of Methamphetamine	Minimum Sentence:	
MCL#:	333.74032B1	Maximum Sentence:	1 year 0 months
Court File#:	20273785-FH	Date of Offense:	07/30/2019
County:	Oakland	Date of Sentence:	06/04/2021
Conviction Type:	Plea		

### INACTIVE

#### Sentence 1

Offense:	Uttering & Publishing	Minimum Sentence:	
MCL#:	750.249	Maximum Sentence:	2 years 0 months
Court File#:	08002133-01	Date of Offense:	01/24/2007
County:	Wayne	Date of Sentence:	06/04/2008
Conviction Type:	Plea	Discharge Date:	09/14/2011

Discharge Reason: Offender Discharge

#### Sentence 2

Offense:	Uttering & Publishing	Minimum Sentence:	
MCL#:	750.249	Maximum Sentence:	3 years 0 months
Court File#:	14010041-01-FH	Date of Offense:	04/19/2014
County:	Wayne	Date of Sentence:	01/06/2015
Conviction Type:	Plea	Discharge Date:	06/24/2015

Discharge Reason: Offender Discharge

#### Sentence 3

Offense:	Uttering & Publishing	Minimum Sentence:	
MCL#:	750.249	Maximum Sentence:	3 years 0 months
Court File#:	14007719-01-FH	Date of Offense:	09/11/2013
County:	Wayne	Date of Sentence:	10/20/2014
Conviction Type:	Plea	Discharge Date:	06/24/2015

Discharge Reason: Offender Discharge

#### Sentence 4

Offense:	Uttering & Publishing	Minimum Sentence:	
MCL#:	750.249	Maximum Sentence:	2 years 0 months
Court File#:	03005978	Date of Offense:	02/18/2003
County:	Wayne	Date of Sentence:	06/20/2003
Conviction Type:	Plea	Discharge Date:	06/08/2005

Discharge Reason: Discharged Without Improvement

#### Sentence 5

Offense:	Uttering & Publishing	Minimum Sentence:	
MCL#:	750.249	Maximum Sentence:	1 year 0 months
Court File#:	14250767-FH	Date of Offense:	02/21/2014
County:	Oakland	Date of Sentence:	07/29/2014
Conviction Type:	Plea	Discharge Date:	07/22/2015

Discharge Reason: Discharged Without Improvement

## SUPERVISION CONDITIONS

01 - No violations of any criminal law

02 - Not leave state without permission

02.0 - Not use/possess alcohol or intoxicants

---

02.1 - Alcohol testing

---

02.2 - Drug testing

---

02.4 - Not use or have any controlled substances or drug items

---

02.8 - Outpatient Substance Abuse Treatment

---

03 - Monthly reporting

---

04 - Notify of change of residence

---

04.18 - Behavior

---

04.20 - Not own or possess weapons

---

05.2 - License suspended

---

06.4 - You must make genuine efforts to find employment

---

08.0 - Serve jail time as described

---

08.2 - Pay a Crime Victim's Assessment

---

08.6 - Attorney Fees

---

08.11 - Assignment of wages until ordered assessments are paid

---

08.18 - State Costs

---

[Michigan.gov Home](#) | [MDOC Home](#) | [Site Map](#) | [Escapee/Absconder Tips](#) | [State Web Sites Accessibility Policy](#) | [Privacy Policy](#) | [Link Policy](#) | [Security Policy](#)

Copyright © 2001-2021 State of Michigan